From: Taylor, Michael
Sent: Monday, April 21, 2025 4:02 PM
To: Tolle, Anna, Taylor, Michael
Subject: FW: Public Comments on Project Oak Hill - Planning Commission Meeting 4/21/2025
Attachments: Public Meeting - Terrace Way 4-21-25.doc

I'm plucking this public comment out to publish and share with the commission – thank you!

From: Lombardo <tonylmail-apt@yahoo.com>
Sent: Monday, April 21, 2025 11:12 AM
To: Planner <planner@lovelafayette.org>; Eisberg, Jean <jeisberg@ci.lafayette.ca.us>; Planningcommission@lovelafayett.org
Subject: Public Comments on Project Oak Hill - Planning Commission Meeting 4/21/2025

Caution: The sender name (Lombardo) is different from their email address (tonylmail-apt@yahoo.com), which may indicate an impersonation attempt. Verify the email's authenticity with the sender using your organization's trusted contact list before replying or taking further action.

Please see attachment for Public Comments on Project Oak Hill for meeting 4/21/2025.
submitted by Anthony Lombardo of 3572 Terrace Way; Pioneer 185, LLC.
(408)420-5757

- My name is Anthony Lombardo, one of three owners of 3572 Terrace Way which is a six unit apartment complex and is located directly at the rear of the proposed seven story project. We received notice of this Public Hearing on April 13th - about one week ago. This was the first notification that we received about this project even though it appears that it has been in the planning state since 2022. In researching and reviewing some of the meeting notices and comments by several supporting organizations, apparently there was a notice sent out concerning a January 21st meeting this year where the notes stated that notices were sent out for that meeting. Again, we did not receive any such notice. There was another notice sent out for a March 10th meeting. Again, we did not receive any such notice. On April 15, 2024, the planning Commission recommended approval and on May 13, 2024, the city council approved the 53 unit project. There were notices sent out during that phase of the project, and again we did not receive any such notices.
- Lafayette has notably been a sleepy town since its conception. My father was a part of that vision as he established the Pioneer Store in downtown Lafayette in the 1940's and he was part of the original Pioneer Store of 1855 which was located across the street from the now Lafayette Park and a few doors down from the Park Theater. That Pioneer Store is now The Great Wall Restaurant. During this time, Lafayette remained a sleepy town with no major infrastructure changes made to main road ways to anticipate greater growth. Walnut Creek had the big department stores and big developments. With any major additions of multiple housing, Lafayette will be using the existing major road ways that were designed decades ago. Which is one concern.
- Now it appears that the concept of Lafayette has changed and now Lafayette wants to or is forced to incorporate dense housing.
- However, that does not give anyone the right to disregard the surrounding existing buildings that have served Lafayette for decades. You have planned a project that literally surrounds three sides of our six unit apartment that was built in the 1960's with tall fences and towering apartments acting as a giant wall that exceeds the height of that six-plex by 20 some feet. It was noted in the referral letters from several agencies that gave prior comments that there would be substantial view impacts and directly listed 3572 Terrace Way as one of those that would be directly impacted. Yet we received no notice. The planning commission has known that, but chose to proceed with the project anyway knowing the impact to our property. As stated in the Staff Commission Planning Commission report of April 21, 2025 and others before that, the Planning commission has been aware of the mass of the proposed building and provided set-backs to that building to reduce the apparent massing of the building. These set-backs applied to the front of the building (West Side), but no set backs were designed in for the East side. As such, the full mass of the building becomes apparent when viewed from the east side and that is the view that the tenants of 3572 Terrace Way have. Presently, the tenants of 3572 enjoy a rural setting that gives the appearance of living in a secluded area of Lafayette, surrounded with oak trees and the views of surrounding mountains including Mt Diablo. After the construction of this dense housing project, those views will literally be taken away and replaced with high fences (6 to 10 feet high according to drawing A2.5 (Jan 2025) and 6 foot according to drawing

A4.1(March 2025) and concrete walls soaring well above their apartments – about twice the height of their entire building. Their quality of life will drastically be negatively affected. The project exceeds the height, number of stories and density outlined in the Lafayette General Plan but is allowed because of the State Density Bonus law which the developer is taking advantage of. However, this does not preclude considering the welfare of the existing surroundings as it relates to mental health and compensation. The affect of this project with towering fences and concrete will take away tenants rights to privacy, will block their views, natural lighting, make parking more difficult if at all possible, be subjected to close proximity of other tenants of the proposed facility which will take away their privacy on their balconies which face the high density housing and even within their own front rooms as they will be within direct view of the tenants of the new proposed building on the east side of 3572. The distance from the balconies to the apartment wall that soars to a height of over 52 feet is approximately 15 feet away. The height of the proposed building will be about 20 feet above the entire 3572 building height. If there is a means of lowering the impact of this proposed project, it should be implemented now in the design.

- To rectify this, 1.) The west side of the new complex could have setbacks as was done in the front of the building. 2.) The proposed building could be moved forward towards Oak Hill Road 10 feet – the additional space on the east side of the new complex could be used as a play ground or barbeque area. 3.) The proposed fence separating the two properties could be eliminated across where parking is designated for 3572. This will enhance the ability for 3572 to park and will be less intrusive. 4.) The variety of the trees proposed for the west side of the new complex should be changed to a tree such as a mature Italian cypress which benefits include that it is evergreen, fire resistant, has a columnar shape, is fast growing and will provide a constant year long barrier between the two properties as it will not drop its leaves.
- This project will substantially reduce the value of the 3572 property and will impact the ability to keep tenants and will make the units less desirable to rent even at a reduced rent price. All this was done with the planning commission knowing of the effects that this project would have and going ahead with it anyway. There has never been a discussion as to compensation for this negative value of the property and much less any contact from the city or developer in this regard. To rectify this, the developer should monetarily compensate for the loss of value of the property as determined by a neutral 3rd party.
- In reviewing the documentation concerning this project, there are concerns as to the impact of access to parking for 3572 as it is not clear on any of the drawings which I have reviewed. There is not a clear view of how tenants at 3572 would be able to access the parking area which is presently being accomplished through an easement. It is unclear if there are any changes to that easement although drawings show plantings in that area which would suggest that the easement to the parking stalls will be affected if access is permitted at all. The existing easement to the parking area at 3572 must be retained without substantially affecting the parking ability and parking spots now available. Any changes to easement might also affect the ability for Republic Services to even remove refuse. To rectify this, the access to the property should remain as it is today with no obstructions in the way such as planter boxes. This means that no

obstructions would exist in the area as defined. The defined area is the east property line of 3572 (as it starts on the far North side extending past the 3572 under building parking area) and then virtually continuing on that same line extending all the way to Terrace Way and all property to the West of that line.

- This project will take a considerable time to build and during that time frame, all tenants within 3572 will be affected by the noise from the building. There are persons who sleep during the day and also there are people that work at home. This will substantially affect their ability to maintain their life style and most likely cause them to vacate the complex in favor of residing at a quieter location. To rectify this, double pane windows need to be installed in the entire 3572 complex and to be paid for by the developer. The windows today have been adequate for the last 60 + years and would only need an upgrade due to this proposed project. To compensate the tenants of 3572 during this time frame, their rent should be reduced for the duration of the build and the developer would be responsible for making the owner of 3572 whole. If any tenant moves out because of the construction noise, the developer would be responsible for making the owner whole until the unit(s) is re-rented or construction noise ends.
- The area designated for a pool would bring additional noise associated with pool activity. To rectify this, double pane windows would be installed as discussed above. In addition, privacy for both the pool users and the tenants of 3572 would be enhanced if the trees shown on the drawings by the pool facing the 3572 complex were changed out to Italian cypress, As stated before, they would provide a barrier between the two properties, be evergreen, have a columnar shape, and are fast growing.
- There are an additional 186 parking stalls planned for this project which will affect traffic on Terrace Way, which is a private road. According to the Planning Commission Staff Report of April 21, 2025, Terrace Way narrows to just 10 feet while still maintain two-way vehicle traffic. This is not true as the road in one area (by the 3572 south side property line) virtually narrows to a one lane road. Traffic today requires drivers to take turns passing that area. There has been discussion regarding this concern as some improvements may be made, but only in the entrance by Oak Hill road. The road still narrows considerably past that point and does nothing for traffic that will be directed from Terrace Way to Thompson Rd which connects to Mt Diablo Blvd. Again, this is a private road. The applicant proposes a right-in/left-out configuration such that the tenants at the new proposed facility will be forced to exit towards Oak Hill. However, it appears that this can be easily bypassed. In either case, traffic will be directly affected as presently it is difficult to merge on to Oak Hill from Terrace Way as the traffic on Oak Hill backs up at certain hours. With 186 car parking capacity, this will increase congestion and cause backups on Terrace Way. This again is caused by the expansion of multiple units built on the existing road ways which were not designed for high volume traffic. To rectify this, Terrace Way should be upgraded especially the area that narrows into a one lane road.
- There are other concerns as well in regards to soil structural loads given the massive building size and the affects of that to the rest of the hill side. The Fire department has already stated that compliance to existing laws(CBC chapter 4) cannot be met at this time. An existing sewer line for 3572 Terrace Way crosses over Right of Way – as identified by Contra Costa Sanitation

District. This pipe was just replaced last year and during the permit process, no mention of the new proposed project was made even then.

Again it should be noted that the first time that we were notified of this project was a week ago. How this happened, I don't know. It is very highly unlikely that we would have missed so many mailings of meeting notices.
Since we are the owners of the property most affected by this project, **discussions** should have involved us from the beginning both from the city and developer. For a project of this size and magnitude of impact, the city should have reached out more than just a postcard with a meeting notice. Please include these comments in public record.
Regards,
Anthony Lombardo